

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

INSITUFORM TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 04 10487 GAO
	)	
AMERICAN HOME ASSURANCE COMPANY,	)	
	)	
Defendant.	)	

**SUPPLEMENTAL LOCAL RULE 56.1 STATEMENT**

Plaintiff, Insituform Technologies, Inc. ("Insituform"), supplement the record in support of its motion for summary judgment as follows:

1. Liberty Mutual investigated the MWRA claim and determined that the claim was covered under the Primary Policy. Kelley Supplemental Affidavit, ¶ 1, Exh. A.
2. The total amount of the claim submitted to Liberty Mutual as \$6,824,000. Kelley Supplemental Affidavit, ¶ 2.
3. Liberty Mutual subsequently made indemnification payment to Insituform on account of the MWRA claim in satisfaction of the primary policy limit of liability. Kelly Supplemental Affidavit, ¶ 3, Exh. B.

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Respectfully submitted,

INSITUFORM TECHNOLOGIES, INC.

By: /s/ Stanley A. Martin  
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Date: April 22, 2005

Of counsel

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**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the following document was served upon the attorney of record for the Defendant by virtue of electronically filing this document with the Court on the 22<sup>nd</sup> day of April 2005.

**SUPPLEMENTAL LOCAL RULE 56.1 STATEMENT**

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